FARAD CONTINUATION SHEET NO
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
C.A.NO.785 OF 2004 IN A.O. NO.944 OF 2001

Office notes, office Memoranda of Coram, appearance, Court's orders or directions and Registrar's orders.	**Court's or Judge's orders**

Mr. P.B. Kakade for the Applicant.
Mr. Sunil Mahajan for the Respondents 1 to 3.

CORAM : B.H.MARLAPALLE, J.
DATED : 13/9/2005.

P.C.

1. Heard Mr. Kakade for the applicant and Mr. Sunil Mahajan for the respondent Nos. 1 to 3.

2. Appeal from Order No.944 of 2001 was admitted by this court on 22.10.2001 and when it came up for final hearing on 4.6.2003, none was present for the appellant. Consequently the appeal was dismissed for default. Hence, this application for restoration of the said appeal. The application is filed in time and as directed by order dated 6.9.2004, the learned counsel for the appellant has deposited the amount of Rs.1000/- with the registry of this court. Good reasons

have been made out to explain the absence of the learned counsel for the appellant on 4.6.2003 and therefore, application deserves to be allowed and accordingly, the same is allowed.

3. The order dated 4.6.2003 is hereby recalled and the appeal is restored to the file.

(B.H.MARLAPALLE, J.)